NORTH CAROLINA PORTFOLIO

ASHEVILLE NEWS.

"The dangers of a concentration of all power in the General Government of a Confederacy so vast as ours, are too obvious to be disregarded."—Gen. Pierce's Inaugural.

VOL. 5—NO. 9. ASHEVILLE, N. C., THURSDAY, JULY 28, 1853. WHOLE NO. 207.

THE
ASHEVILLE NEWS,
PUBLISHED WEEKLY BY
THOMAS W. ATKIN,
EDITOR AND PROPRIETOR.

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☞[illegible] is the only Agent for this paper in the cities of New York, Philadelphia and Boston. His office at New-York is in the Tribune Buildings.

Marcus Erwin,
ATTORNEY AT LAW,
ASHEVILLE, N. C.

John A. B. Fitzgerald,
Attorney and Counsellor at Law,
WAYNESVILLE,
HAYWOOD COUNTY, N. C.
October 3, 1851.

Robert M. Henry
ATTORNEY AT LAW
ASHEVILLE, N. C.

David Coleman,
Attorney at Law,
BURNSVILLE, N. C.
March 3, 1853.—tf.

W. Lucius Tate,
ATTORNEY AT LAW,
MORGANTON, N. C.
May 5, 1853. tf

G. W. WHITSON,
SURGEON DENTIST,
Having returned to Asheville is ready to attend to any business in his line. Ladies will call upon at their residence. His office is at the Eagle Hotel where he can generally be found unless professionally absent.
Asheville, N. C., ay 1, 1851.—tf.

Dr. Hilliard
Has returned to Asheville, after an unavoidable absence of some weeks, and is again ready to attend to all professional calls.
Asheville, Dec. 9, 1852.

Dr. L. [illegible]
HAS returned home, and may hereafter be found at his Drug Store, ready to attend to all professional calls.
Asheville, March 31.

Dr. J. S. T. Baird,
OFFERS his Professional services to the public. He can always be found at the Law Office of A. S. Merrimon, unless professionally engaged.
Asheville, March 31, 1853.

Samuel L. Love, M. D.,
A Graduate of the Philadelphia College of Medicine,
OFFERS his Professional services to the citizens of Waynesville and the surrounding country.
He may be found at the residence of his father one mile west of Waynesville, unless professionally absent.
April 21, 1853. 1y

SMITH & McDOWELL,
Dealers in Dry Goods, Hardware, Groceries, Crockery, &c. &c.
Asheville, N. C.

WM. D. RANKIN & CO.
Dealers in Dry Goods, Groceries, Hardware, Crockery, &c. &c.
Asheville, N. C.

SMITH, BAIRD & VANCE,
Dealers in Dry Goods, Groceries, and Merchandise generally,
ASHEVILLE, N. C.

I. Mc. DUNN,
MERCHANT TAILOR,
ASHEVILLE, N. C.,
Keeps a variety of Cloths, Cassimeres, Vestings Trimmings and Ready Made Clothing.
To all who wish cheap garments, or work done can now have it cheaper than the cheapest and at short notice. Shop removed to my dwelling.

Candies, assorted, at
SMITH & McDOWELL'S.
April 7.

W. D. Rankin & Co.
Have received a very handsome lot of Printed Lawns and Jaconets, Barage D'Lanes, Dotted Muslins, Ginghams, Lenor Cambrick Hdkfs, Worked Collars and Under Sleeves, which they will sell——. It is useless to say any thing about selling cheap, come and see, hear the price, and then you will buy.
April 28, 1853.

W. D. RANKIN & CO. Have Gandy to sell. April 28, 1853.

Look Here.
THERE will be a public examination of the Students of Burnsville High School, on Wednesday and Thursday the 24th and 25th of August next. On Friday the 26th, addresses will be delivered by members of the two literary societies connected with the School—commencing precisely at 10 o'clock, a. m. Come one, come all.
S. B. ADAMS.
Burnsville, July 7th, 1853.

Candidates.

We are authorized to announce M. N. R. BLACKWELL as a candidate for Clerk of the Superior Court of Buncombe county, at the next election.

We are authorized to announce NEELY TWEED, Esq., as a candidate for Superior Court Clerk of Madison county, at the August election

TWO NIGHTS WITH THE DEAD.

Believe me, reader, there is no spot on earth where one's courage is wound up to the same painful pitch of intesity as in a grave-yard at midnight, while engaged in the jackal trade of the resurrectionist. The deep silence of the scene; the darkness; the whispered word of consolation; the fear of interruption; the white monuments about you; the open grave at your feet, and the shrouded corpse within it, all combine to send a chill to the stoutest heart. And now, sitting safely in my office, how deep a [illegible] events of that night, and day, and night again, which I am about to relate for your benefit.

We were "bound to have that subject." As Seth said, it was "gone up;" and it was ridiculous, nay more, it was ungenerous and mean in the citizens of C——— to keep watch and ward over the grave of one whom they knew not, save as a stranger, passing through and dying in their town. So, with an experienced party of four, besides our trusty old driver, (most trusty when most drunk,) we set out at an early hour in the evening, our object being to do our work and get away before the guard reached the spot at about nine o'clock. In this we succeeded. The grave was left as we found it; and so artfully had every thing been replaced, that had we left five minutes sooner, no suspicion would ever have been excited. But alas! we had gone but a little distance on our return home, when we heard the tramp of horses in pursuit. Old H——, the driver, laid on the whip most vigorously, but to no purpose. With muddy roads, five persons in a wagon, and a "caput mortum" to boot, we were no match in speed for our pursuers, all on horseback, and, as we had reason to suspect, all well armed. There was no alternative; we must be overtaken. How to "save the body" was the question. A quarter of a mile ahead we were to turn a corner in the road. Lying in that corner was a recently cleared field, with many stumps of trees remaining, which offered some chances for concealment. Accordingly, some of us left the wagon, taking the "subject" with us, while H——— drove more slowly around the corner. Before I knew how it happened, or by what process of reasoning we had fix upon so lucky a hiding place, we had mounted upon a high stump, and with some effort I had succeeded in dropping the "dead head" into the cavity of an adjoining stump, which had broken off at about twelve feet from the ground.

But we were late about it. Our pursuers were already in the field. I was perched upon the top of the stump, and so near were they, that to spring to the ground would betray our "cache," and most probably lead to my capture. The boys were making for the wagon at a very praiseworthy rate of speed. So I gently lowered myself down into the cavity where we had just "buried our dead," hanging on the top with my hands, to avoid too low a descent. In a moment our fellows were about me.—They had noticed our pause at this spot, and supposing that we had abandoned the subject, commenced a careful search for it. Of course I maintained a strict reserve as to my whereabouts.—An unlucky cough or sneeze would betray me; and in that case I was elected for an "imprisonment of not less than two or more than five years;" all of which I thought of during their tedious stay. At last they left, with an agreement to return in the morning and complete their search.

But my troubles were not over. I had hung so long suspended at arm's length by the hands, that on attempting to swing up again to the top of the stump, I found it was no go; and after several attempts, my cramped hands gave way, and down I went upon the head and shoulders of my departed friend and fellow-prisoner. The position was disagreeable, but I was over a plucky fellow, and felt nowise discouraged until, after resting a while, I tried to clamber out of my long chimney of a grave, and found the sides so smooth and slippery with damp as to serve an effectual "*ne exeat*" upon me. "Verily," thought I, "the way of the transgressor is hard!"

"I consoled myself for a while with the hope of a speedy return of my party; but hour after hour passed on, and they did not come. Day broke, and as the sun rose in the heavens, the light crept down into my prison, and illuminated the ghastly countenance of my fellow-captive. His eyes were half opened; at last my nerves, growing weak from hunger and long confinement in one position, I fancied that I saw upon his upturned face a strange and cunning leer—a triumphant expression, as if he were chuckling over the horrible scrape into which my attemps to disturb his rest had brought me. I shifted my position so that I could only see the back of his head and his bare shoulders; but the rascal had a kind of French shrug in the latter, which still left the same impression on my excited fancy.

"It grew cloudy and cold, and sleet and rain began to fall. My enemies of the night before returned and completed their unsuccessful search. I felt a strange temptation to cry out and reveal my hiding-place; and had they come in later in the day, I believe I should have done so. Noon came. Hitherto my position had been one of great discomfort, but not of actual suffering; but as the day wore on, (and oh, how slowly!) I began to feel the effects of fatigue, hunger, wet, and cold. I grew terrible nervous. I wept, and prayed, and cursed by turns. My companion, too—how I grew to hate him, and at last to look upon him as a sentient and intelligent demon, who by some horrible *diablerie*, had drawn me into a living grave with him—and then I thought of how, when the old tree should have crumbled down with time, two skeletons would be found there and only one suit of clothes; and how people would wonder; what they would say about me, should the truth become known; and whether they would pity me or not.—Perhaps they would burn the field over, and we should both be burned up, "burned up with fire;" and I repeated it over and over again, "burned up with fire." Then I thought how cold and hungry I was, and what my mother would say, could she know my situation; and I grew childish, and wept with the same passionate grief as when a child. Toward the close of the day I had fretted myself into a quarrel with the dead man, and, and, curling down within reach, I struck him with my fist, and stamped upon him.

"The night came, I was glad. I was so cold and benumbed that I felt no longer the gnawings of hunger, and from sheer exhaustion my nerves had grown quiet. For the first time I wished to sleep. I fixed myself as easily as possible, and repeating the old nursery rhyme.

"Now I lay me down to sleep,"

I dropped off into a quiet slumber. I had slept some hours when I woke suddenly at the sound of a foot-fall. In a moment the whole truth flashed over me. The boys had returned in search of me, and without waiting to ascertain the facts, I called out, "Here I am! Come and pull me out!" A moment more, and after a word of explanation a strong arm grasped me, and I was drawn out to the living world again.

Few words were spoken then, but half an hour later, seated once more in the wagon beside old H———, well wrapped up in a buffalo-robe, my pleasant companion of that long, weary day beneath our feet, my hunger satisfied by sundry dough-nuts and cold sausages, and my nerves set right by a pull at the brandy-bottle, so long and uninterrupted that Seth inquired if I had ever been a pearl-diver, I listened to the explanations of the impossibility of any earlier relief to me, and of the anxiety they had suffered during the day, lest I had been captured.

I slept soundly that night, but for many nights thereafter horrid dreams of ghosts and vampires, of going down and down through Simms' Hole with a dead man's arms locked around my neck, haunted my pillow and destroyed my rest.

Reader that an adventure like this should be graven with a deeper pencil on my memory than any or all of the scenes of battle, tempest, and wreck, I have since encountered, is not a matter of wonder.—*Knickerbocker Magazine.*

The Lynchburg Virginian of Monday ascertains from a gentleman who came up the canal by Friday night's packet, that a most awful tragedy, resulting in the death of two brothers by the hands of a third, occurred in the county of Buckingham on Thursday. The circumstances as near as they can be gathered are as follows: Shelton Farrer became displeased with one of his sons, who immediately seized a double-barrel loaded gun, and attempted to shoot him. A brother interfered and undertook to wrest the gun from him, when he was shot down. Another brother made a renewed effort to stop the madman, which resulted in the same way—he was instantly killed.

The information of the Virginian is direct and reliable, but for that we would be indisposed to believe that such a horrid and revolting crime could be committed in a civilized community.—*Pet. Express.*

Love, like the measles, is rather a juvenile complaint. Who for instance ever knew a widower to die from mixing a broken heart with a sixpence worth of arsenic? We pause for a reply.

If you wish to know what public fame is, remember that the long line of Roman consuls and Grecian magistrates is now forgotten, while Esop, a slave, Socrates, a mechanic, and Horace, the son of a freedman, are immortal.

"Ma, how high you reckon I am?"—"Well, I don't know, sonny—how high are you?"

"Well, I'm ten feet three inches or three feet ten inches, I don't know which. I'm some tall—aint I ma?"

The Crystal Palace---A Glimpse at the Vicinity.

A New-York correspondent gives the following glimpse at the surroundings of the Palace:

This is Crystal Palace week—that is to say, this is the week the Palace is expected to "open." Accordingly, all is hurry and bustle up in that neighborhood. The boarding houses are in a state of great excitement, fixing up accommodations, and the city rail roads every trip are literally loaded with humans, from the country, going up to get a glimpse of "the elephant."

"Yonder" that exhibits the pig with six legs, is making money fast, while his neighbor, the chap that shows the mammoth oxen, in a "ranch" near by, says he has made more money the few days past than the original cost of the animals. The rattlesnake monger is also in ecstacies, as is also the woman who shows up the "giant babies" at 3 cents a peep.

Grog flows in little oceans all around and about as if in opposition to the Croton water reservoir near by. Then there are dance houses, and places where the little joker is going all the while, relieving the green 'uns of their ready money, and laughing to scorn the praiseworthy exertions of the American Society for the Suppression of Gambling.

As for the Palace itself, a gentleman of the Press, who visited the interior this morning, says the picture presented is one of superlative confusion and chaos. Boxes and bundles are piled up from pit to dome, and the trumpery "from all nations" that lies scattered all about the entrances, makes one wonder where they are going to put it—and to wonder the more especially, how they are going to create any sort of order out of so much disorder, by the 14th.

The New-York Courier of Tuesday says:—

"The Crystal Palace will doubtless be opened on Thursday next; it will, however, be not untill a much later day before all that is intended for the instruction, amusement and admiration of the visitors will be presented to advantage. At present, axes, saws, chizels, hammers and mechanics; paint pots, paint brushes and painters; gold leaf and [illegible] men hurrying huge boxes and bales and trundling statuary to and fro, give a Babel-like confusion to the interior, and the builders are busy upon the exterior of the edifice. The convexity of the dome still bears numbers of those who work for its completion, and from its concavity are suspended those who are doing it with representations of frescoe painting on canvass. When finished, the Crystal Palace will doubtless be the most beautiful building in the United States. The exterior is sufficiently near completion to afford a fair idea of its ultimate beauty. The final elegance of the interior, however, cannot now be realized, and will not on the opening day. Three months' time will probably have passed before the Crystal Palace is seen with all its claims to admiration. Nevertheless, there is now enough of beauty to satisfy any reasonable expectation, and a majority of the articles for exhibition will soon be exposed in their appointed places. A large number of articles for which positions have been assigned have not yet arrived—additions, however, are coming in daily.

On Saturday last the strength of the building was tested in every part, by Mr. Detmold, the engineer. The test was made with a mass of iron weighing thirty tons, which was placed on each square in the gallery, and gave a pressure equal to seventy-five pounds to the square foot, twenty-five pounds more than the ascertained pressure from a dense crowd of people. To this weight the gallery yielded but about an inch. This result establishes satisfactorily the safety of the building."

The legal profession is said to be greatly on the decline in all quarters.—Middle Temple, London, is fast being deserted, the occupants having gone to Australia—or Botany Bay. This is a sign the Millenium is coming.

Themistocles, the great Athenian general, being asked whether he would rather choose to marry his daughter to an indigent man of merit, or to a worthless man of estate, replied that he should prefer a man without an estate to an estate without a man.

WHAT A MAN WILL DO FOR $3.35.—A murder was committed a few days since near Browsnsville, Ohio, by one Silesbny, on the person of a man named Sellers, for three dollars and thirty-five cents. The murderer had seen the man paid to his victim but a short time before the murder and he killed him to gain it.—*Buff. Com. Adv.*

BOON, seeing a person who was tearing the hair off his head for sorrow, said:

"Does this man think that baldness is a remedy for grief?"

The Glorious Uncertainties of the Law.

The most litigious fellow I ever knew, was a Welshman named Bones. He had got possession, by some means or other, of a bit of waste ground behind a public house in Hogwash street. Adjoining this land was a yard, belonging to the parish of St. Jeremiah, which the Parish Trustees were fencing in with a wall. Bones alleged that one corner of their wall advanced about ten inches on his ground, and as they declined to remove it back, he kicked down the brickwork before the mortar was dry.—The Trustees, having satisfied themselves that they were not only within their own boundary, but that they left Bones some feet of the parish land to boot, built up the wall again. Bones kicked it down again. The Trustees put it up a third time, under the protection of a policeman. The inexorable Bones in spite of the awful presence of this functionary, not only kicked down the wall again, but kicked the bricklayers into the bargain. This was too much, and Bones was marched off to Guildhall. The magistrate rather poohpoohed the complaint, but bound over Bones to keep peace. The *causa belli*, the wall, was re-edified a fourth time; but when the Trustees re-visited the place next morning it was again in ruins.

While they were in consultation upon this last insult, they were politely waited upon by an Attorney's clerk, who served them all with "writs" in an action of trespass, at the suit of Bones, for encroaching on his land. Thus war was declared about a dirty piece of land, literally not so big as a door step, and the whole fee-simple of which would not sell for a shilling. The Trustees however, thought they might not to give up the rights of the parish to the obstinacy of a perverse fellow, like Bones and resolved to indict Bones for assaulting the workmen. Accordingly, the action and indictment went on together. The action was tried first, and, as the evidence clearly showed the Trustees had kept within their own boundary, they got the verdict. Bones moved for a new trial; that failed. The Trustees now thought they would let the matter rest, as it had cost the parish about one hundred and fifty pounds, and they supposed Bones had had enough of it. But they had mistaken their man. He brought a writ of error in the action, which carried the cause into the Exchequer Court, tied it up nearly two years, and in the meantime he forced them, *nolens volens*, to try the indictment. When the trial came on, the Judge said that as the whole question had been decided in the action, there was no occasion for any further proceeding, and therefore the defendant had better be acquitted, and so make an end of it. Accordingly, Bones was acquitted; and the very next thing Bones did, was to sue the Trustees in a new action, for maliciously instituting the indictment against him without reasonable cause!

The action went on to trial, and it being proved that one of the Trustees had been overheard to say, that they would punish him, this was taken as evidence of malice, and Bones got a verdict of forty shillings damages, besides all the costs. Elated with his victory, Bones pushed on his old action in the Exchequer Chamber to a hearing, but the Court affirmed the judgment against him, without hearing the Trustees counsel. The Trustees were now sick of the very name of Bones, which had become a sort of bugbear, so that if a friend met a Trustee in the street, he would be greeted with an inquiry after the health of his friend Mr. Bones.—They would then have gladly let the whole matter drop into oblivion, but Jupiter and Bones had determined otherwise; for the indomitable Bones brought a writ of error in the House of Lords, on the judgment of the Exchequer Chamber. The unhappy Trustees had caught a Tartar, and follow him into the House of Lords they must. Accordingly, after another year or two's delay, the case came on in the Lords. Their Lordships pronounced it the most trumpery writ of error they had ever seen, and again affirmed the judgment, with costs against Bones. The Trustees now taxed their costs, and found that they had spent not less than five hundred pounds in defending their claim to a bit of ground that was not the value of an old shoe. But then Bones was condemned to pay the cost. True; so they issued Execution against Bones: caught him, after some trouble, and locked him up in jail. The next week, Bones petitioned the Insolvent Court, got out of prison, and on examination of schedule his effects appeared to be £0 0s 0d!

Bones had, in fact, been fighting the Trustees on credit for the last three years, for his own attorney was put down as a creditor to a large amount which was the only satisfaction the Trustees obtained for perusing his schedule. They were now obliged to have recourse to the Parish funds to pay their own law expenses, and were consoling themselves with the reflection that these did not come out of their own pockets when they received the usual notification that a bill in Chancery had been filled against them, at Mr. Bones' suit, to overhaul their accounts with the Parish, and prevent misapplication of the Parish money to the payment of their law costs! This was the climax.

And being myself a disciple of Coke, I have heard nothing further of it, being unwilling, as well, perhaps unqualified, to follow the case into the labyrinthic vaults of the Court of Chancery. The catastrophe if this were a tale, could hardly be mended, so the true story may end here.

[From the Musical World and Times.]

Sunday Morning at the Dibdins.

"Jane," (suddenly exclaims Mrs. Dibben,) "do you know its nearly time for your Sabbath School to commence? I hope you have committed your hymns and commandments to memory. Put on your little jet bracelet and your ruffled pantelettes. Now, say the third commandment, while I fix your curls; it does seem to me as if your hair never curls half as well on Sunday as on week days. Mind, you ask Letty Brown where her mother bought that cunning straw hat of hers; not in Sabbath School, of course; that would be very wicked, but after it is over, as you walk along to Church.

"Jane, what is the chief end of man? Don't know. Well it's the most astonisling thing that Assembly's Catechism don't stay in your head any longer. It seems to go into one ear and out of the other. Now pay particular attention while I tell you what the chief end of man is—is well—I—why don't you hold still? you are always putting a body out! You had better run up stairs and get your book.

"Here, stop a minute, and let me tie your sash straight. Pink is very becoming to you, Jane; you inherit your mother's beauty. Come away from that glass, Jane, this minute; don't you know it is wicked to look in the glass on Sunday? See if you can say your 'creed' that your Episcopal teacher wants you to learn. Come; 'I believe'—in less than one week your toes will be through those drab gaiters, Jane. Goodness! if there isn't the bell! Why didn't you get your lesson Saturday evening? Oh! I recollect you were at dancing school. Well—you needn't say anything about that to your teachers, because there is a time to dance, and a time to go to meeting, and *now* it is meeting time; so come here, and let me roll that refractory ringlet over my finger once more, and then, do you walk *solemnly* along to church, as a baptized child should.

"There! stop a bit! you may wear this coral bracelet of mine, if you won't loose it. There, now you look most as pretty as your mother did when she was at your age. Don't toss your head so, Jane, people will call you vain, and you know I have always told you that it makes very little difference how a little girl looks, if she is only a little Christian. There good bye, repeat your Chatechism, going along; and, don't let the wind blow your hair out of curl."

SUNDAY NOON AT THE DIBDINS.

[Mr. Dibdin reading a pile of business letters, fresh from the Post-Office; Mrs. Dibdin in a pearl-colored brocade and lace ruffles, devouring 'Bleak House.']

Mrs. Dibdin.—'Jane, is it possible I see you, on the Holy Sabbath day, with Mother Goose's Melodist? Put it away this minute, and get your Bible. There's the pretty story of Joseph building the ark, and Noah in the lion's den, and Isaac killing his brother Cain, and all that.'

Jane.—'Well, but mamma, you know I can't spell the big words. Won't you read it to me?'

Mrs. Dibdin.—"I am busy reading, now, my dear; go and ask your papa."

Jane.—'Please, papa, will you read to me in my little Bible? mamma is busy.'

Mr. Dibdin.—'My dear, will you be kind enough to pull that bell for Jane's nursery maid? She is getting troublesome.'

* * * * * *

Exit Miss Jane to the nursery, to listen to Katy's and her friend Bridget's account of their successful flirtations with John O'Balligan and Michael O'Donague. FANNY FERN.

Dr. Nathaniel Chapman, one of the most eminent physicians of Philadelphia, died, on Friday last.

The laying of the corner-stone of the Methodist Female College, at Murfreesborough, N. C., took place on the 24th ults

It is said the grave of James Madison, twice the President of the United States, cannot now be recognised!

The pay and expenses of the New York Legislature are about fifteen hundred dollars per day, exclusive of mileage.

A STRANGE COINCIDENCE.—Mr. Webster, Mr. Calhoun, Mr. Cass, Mr. Benton, and Mr. Van Buren were all born in the year 17[illegible]